

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

WEDNESDAY, September 1, 2010

9:00 A.M.

In attendance: Stanley Davies

Robert Eva

Dennis Brennan

Michael Januario

Jack King

Steven Gray

Bobby Joe Harris

Ted Whittaker, Sr. Chief

Ben Copple, Legal Counsel

Meeting was called to order at 9:09 am by Stanley Davies

We will dispense of the minutes until after the hearings.

1) Hearings:

a) Ocean State Technical Services, James Giarrusso-Viol#3886

All parties are sworn in. Ted Whittaker read the violation: On March 8, 2010, Mechanical Board member Tim Byrne was checking licenses

at the Rhode Island Hospital, Providence RI. Ocean State Technical Services had an apprentice working with an unlicensed pipefitter. The unlicensed pipefitter was a Stephen G. Hathaway, P O Box 28, Montgomery Ctr., VT 05471. This is a violation of RIGL 28-27-28-“practice for which a license is required”. One violation at \$500.00. The apprentice working without a properly licensed pipefitter is a violation of RIGL 28-27-4.3 (2)-“pipefitter apprentice, refrigeration/air conditioning apprentice, journeyperson, sprinklerfitter apprentice and journeyperson sheet metal worker apprentice-defined –duration of apprentice programs”, one violation at \$500.00 for a total of two violations at \$500.00 for a total of \$1000.00.

Atty. Andrew McKay, representing Ocean State Technical Services questioned Mr. Whittaker. Mike Januario made a motion to table until next meeting, seconded by Bob Eva. Passed unanimously by the board.

b) Darryl S. Pono-viol#3975. Mr. Pono is sworn in as well as Pat Luther, Chief Plumbing Investigator. Mike Januario read the violation: On or about Friday, July 23, 2010, Darryl Pono did an installation of a boiler at 112 West Lawn Avenue, Pawtucket, RI. Mr. Pono is not licensed to do this type of mechanical installation. This is a violation of RIGL 28-27-28-“practice for which a license is required”. One violation at \$500.00. The board questioned Ted Whittaker. Pat Luther addressed the board. Darryl Pono addressed the board. The board questioned Mr. Pono. Jack King made a motion

that viol# 3975 did occur, seconded by Mike Januario. Passed unanimously by the board.

Mike Januario made a motion that the fine of \$500.00 be upheld seconded by Bob Eva. All in favor, one oppose.

c) Wade Champagne-viol #3948-Mr. Champagne is sworn in. Mike Januario read the violation: On July 9, 2010, Chief Plumbing Inspector Patrick Luther was checking licenses at a jobsite located at 1227 Hartford Avenue, Johnston, RI. Mr. Luther did check a Mario Rodriguez of 16 Kapler Street, Providence, RI who was engaged in the installation of the fire protection system. Mr. Rodrigues was not licensed to do this type of work. Wade Champagne was master license holder of record for this project. This is a violation of RIGL 28-27-28-“practice for which a license is required”. One violation of \$500.00. Pat Luther addressed the board. Wade Champagne addressed the board. Steven Gray made a motion that violation #3948 did occur, seconded by Bob Eva. Passed unanimously by the board. Dennis Brennan made a motion that the fine of \$500.00 be upheld, seconded by Bobby Joe Harris. Passed unanimously by the board.

End of hearings.

Michael Januario made a motion to continue the matter of Peter Bibby until the October meeting, seconded by Bob Eva. Passed

unanimously by the board.

A motion to accept the minutes for the last meeting was made by Bobby Joe Harris and seconded by Mike Januario. Passed unanimously by the board.

A motion to adjourn was made by Mike Januario and seconded by Jack King. Passed unanimously by the board.

The meeting adjourned at 9:35 am.

The next meeting will be on Wednesday, October 6, 2010 at 9:00 am.